



A PROCLAMATION.

Concerning the Advocats.



CHARLES, by the Grace of GOD, King of Great Britain, France and Ireland, Defender of the Faith, To
Heralds, Maces, Pursevants or Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting: Having understood that the Lord *Armont*, and thereafter the Earl of *Arbuthnot* had appealed from the Lords of Our Council and Session to Us, and Our Estates of Parliament, And that this being a strange and unaccustomed practice, The saids Lords did require the Advocats that did appear for the parties in those Causes, to give their Oaths, whether they had given advice for giving in those appeals: Which they refused to do, though by their Oaths, at their admission, they have sworn obedience to the saids Lords; But instead of answering what was by them proposed, the saids Advocats did offer a paper, not in Relation to the Appeals in question, but stating another kind of Appeal, having only the effect of a Protestation for remeedy of Law without sisting Process: This they did assert upon several reasons, which were presented unto Us from them, and in their name, and were considered by us, together with the account of that affair communicate to Us by a Letter from the saids Lords of Our Session under all their hands: And upon the whole matter, We did clearly perceive, that those Advocats had stated themselves in an unreasonable and unnecessary opposition to the saids Lords, of very pernicious consequence, giving occasion to beget jealousy in Us and Our Estates of Parliament, as if the saids Lords did assume greater power to themselves, than We and Our Royal Progenitors, with advice of their Estates had invested them with: In which we were fully cleared by the express Statute of Our Royal Predecessor King *James* the Second, declaring, *That all Causes cognoscible by the Lords of Session should be utterly determined and decided by them without any remeedy of Appellation to the King or to the Parliament*: And by the institution of the Colledge of Justice, by King *James* the Fifth, communicating to the Senators thereof the same power; And by a Letter from Our Estates of Parliament to Us of the eight of *October*, One thousand six hundred and sixty three, bearing, *That they could not proceed to the review of a Decree given by the Lords of Session upon the hearing of parties, especially upon the reasons debated and determined by the Lords, as never having been done by any Parliament authorized by Us, or any of Our so numerous Progenitors, since the reversing any such decree, must needs be upon the iniquity of the Judges of the Supreme Judicatory of that Kingdom in matters Civil, from whom there is no Appeal by the Laws of the Nation, the constitution of which being in great prudence so ordered, and such qualifications in the Judges required, that if their Sentences be not ultimately definitive, it may open a way to unsecure Our Subjects in their rights and properties*: Wherewith We were abundantly satisfied, and do fully approve Our Lords of Session, their rejecting those and all such Appeals, and do acquit all and every one of them from any question that can be moved upon that account. Upon this occasion, We did by Our Letter to them of the nineteenth of *May* last, declare, That we found it indispensably necessary for Our service, and the maintenance of Our Authority, and for the quiet and security of Our Subjects in their Fortunes and Estates, that the Honour and Authority of Our Colledge of Justice be inviolably preserved, and that there be an entire confidence in, and deference to all the Decrees and Sentences thereof: And We did, and do again assure the saids Lords, that we will constantly maintain Our Authority exercised in that Court against all incroachments, indignities and reproaches; And did declare Our dissatisfaction with, and abhorrence of those Appeals; And, did strictly prohibit the charging of any of the Decrees or Sentences of Session with injustice, whether in the terms of Appeals, Protestation, Supplication, Information, or any other way, publicly or privately, under the pain of being utterly secluded from exercising any office in, or depending upon the Colledge of Justice. And We were graciously pleased, that the saids Lords should proceed no further against those Advocats, who refused to give their Oaths concerning their accession to these Appeals, if they did solemnly disown the same, and all other Appeals and Protestations which might any wise import the charging of the Sentences and Interlocutors of the Lords with injustice; And in case, they did refuse to disown the same, We did peremptorily command the Lords to debar them from any part of their function, as Advocats in time coming: And though the saids Lords, by a Letter to Us, of the fourth day of *July* last, did explain Our Letter, and take off all pretences that might seem to straiten them and others in their employments; Yet not only they did refuse to disown Appeals, But when thereupon they were debarred, about forty more Advocats (of whom nothing was required) did desert the house that very day. We did by Our last Letter to the saids Lords of the fourteenth day of *July* last, approve, what they in pursuance of Our Royal pleasure had done in Relation to those Advocats, who had deserted their station; Since which time, understanding their Factious Practices, We have by Our Letter to Our Privy Council ordered, that none of those Advocats be within twelve miles of *Edinburgh*, till they give satisfaction to the Lords of Our Session; yet none of them hitherto hath made application. Whereby, and by their whole carriage in this matter, We are convinced, that in a factious way, they do forbear to give or offer satisfaction, each for himself severally, until they all come in joyntly together upon such terms as they shall think fit, which is a very dangerous preparative, and highly prejudicial to our service. We doubt not, but most of them are abused in this combination by the threats and persuasions of others, who, no doubt, have used the same endeavours with those who have adhered to Our service. It is therefore Our Royal pleasure, that Our Lords of Session give to these Advocats, who have remained in their duties, all encouragement and countenance in their Employment. And We do declare, that We will not allow a greater number of the with-drawers to be re-admitted than the number of those who did continue in their Station: And We do declare, in the word of a Prince, that such of those Advocats who have withdrawn, as shall not betwixt and the twenty eighth day of *January* next, make application to the saids Lords of Session, for their re-entry (to be presented to Us in manner formerly prescribed by Us) shall never be re-admitted to that Function at any time hereafter. And to the end that this Our Royal pleasure may be made known to all Our Subjects, We have thought fit that Publication should be made thereof. OUR WILL is herefore, and We command and charge you, that incontinent these Our Letters seen, ye passe to the Mercat Cross of *Edinburgh* and other places needful; And there, by open Proclamation, make publication of Our Royal pleasure in the Premises, with the usual Solemnities, that none may pretend ignorance. The which to do, We commit to you conjunctly and severally Our full Power, by these Our Letters, delivering them by you duely execute and indorsat again to the Bearer. Given at Our Court at *Whitehall*, the twelfth day of *December* 1674. years, and of Our Reign the twenty sixth year.

God Save the King.